



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Mary Sambou
7964 E Caribou Pl
Bel Aire, KS 67226

April 17, 2024

RE: CON2024-00006 – Request to allow Conditional Use to allow Group Residence, Limited; located north of West 50th Court South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

Dear Applicant;

At its regular meeting on April 16, 2024, the Wichita City Council considered the above captioned request. The action of the City Council was APPROVAL of the request with the following conditions:

- 1) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
- 2) Residents within the care of this facility are prohibited from having personal vehicles at the facility.
- 3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 4) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Eatherly'.

Brad Eatherly
Current Plans
Senior Planner

Copies to: Dalton Glasscock, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Mary Sambou
7964 E Caribou Pl
Bel Aire, KS 67226

March 15, 2024

RE: CON2024-00006 – Request to allow Conditional Use to allow Group Residence, Limited; located north of West 50th Court South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

Dear Applicant,

At its regular meeting on **March 14, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request with the following conditions:

- 1) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
- 2) Residents within the care of this facility are prohibited from having personal vehicles at the facility.
- 3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 4) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) **To be effective, the protest must be filed by 5:00 p.m. on March 28, 2024.** In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **March 28, 2024, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, April 16, 2024,** beginning at 9:00 a.m.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 316-268-4421.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

RESOLUTION NO. 24-140

WHEREAS, Planning for Generations, LLC, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use to permit Group Residence, Limited on property zoned TF-3 Two-Family Residential District located, legally described as:

Lot 37, Block 1, Sycamore Pond Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of March 14, 2024, consider said application; and

WHEREAS, the Wichita City Council has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application be approved to allow a Conditional Use to Group Residence, Limited on property zoned TF-3 Two-Family Residential District, generally located north of West 50th Court South and one-quarter mile east of South Seneca Street (742 West 50th Court South), legally described as:

Lot 37, Block 1, Sycamore Pond Addition, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

- 1) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
- 2) Residents within the care of this facility are prohibited from having personal vehicles at the facility.
- 3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 4) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
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 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	543211	Print Legal Ad-IPL01693380 - IPL0169338	RES#24-140	\$65.61	1	78 L

Attention: LaTosha Alvarez
 CITY OF WICHITA/CLERKS OFFICE
 455 N MAIN ST FL 13
 WICHITA, KS 67202

srice@wichita.gov

**OCA 150004 PUBLISHED
 IN THE WICHITA EAGLE ON
 April 19, 2024
 BE IT ORDAINED BY THE
 GOVERNING BODY
 OF THE CITY OF WICHITA,
 KANSAS.**

RESOLUTION NO. 24-140

WHEREAS, Planning for Generations, LLC, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use to permit Group Residence, Limited on property zoned TF-3 Two-Family Residential District located, legally described as: Lot 37, Block 1, Sycamore Pond Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and WHEREAS, the MAPC did, at the meeting of March 14, 2024, consider said application; and

WHEREAS, the Wichita City Council has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application be approved to allow a Conditional Use to Group Residence, Limited on property zoned TF-3 Two-Family Residential District, generally located north of West 50th Court South and one-quarter mile east of South Seneca Street (742 West 50th Court South), legally described as: Lot 37, Block 1, Sycamore Pond Addition, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:
 No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.

Residents within the care of this facility are prohibited from having personal vehicles at the facility.

The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 16th day of April 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

(SEAL) Approved as to form:
 Jennifer Magana, City Attorney and
 Director of Law
 IPL0169338
 Apr 19 2024

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

04/19/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 04/19/2024 to 04/19/2024.

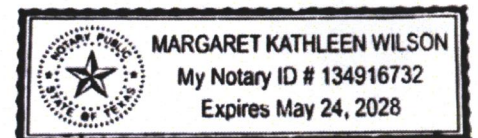
Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 12/27/2024

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
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Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
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 Lexington Herald-Leader
 The Telegraph - Macon
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 Miami Herald
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The Modesto Bee
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 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
23834	521838	Print Legal Ad-IPL01603430 - IPL0160343	OCA 150004-MAPC/BZA	\$186.74	3	74 L

Attention: MANDY HEBERT

CITY OF WICHITA / MABCD
 271 W 3RD ST N
 3RD FLOOR STE 301
 WICHITA, KS 67202
 kgonzalez@wichita.gov

OCA 150004

Published in The Wichita Eagle on February 22, 2024
 (One Time Only)

MAPC/BZA March 14, 2024
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, March 14, 2024, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

BZA2024-00005: Variance request in the City to reduce the required parking for Group Residence, Limited from 12 to 8 parking spaces on property zoned TF-3 Two-Family Residential District, generally located north of West 50th Street South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

CON2024-00004: Conditional Use request in the City to allow an Accessory Apartment in the SF-5 Single-Family District, generally located on the east side of South Kessler Street and within one-quarter mile north of West Maple Street (210 South Kessler Street).

CON2024-00006: Conditional Use request in the City to allow Group Residence, Limited on property zoned TF-3 Two-Family Residential District to allow a HomePlus for up to 12 people, generally located north of West 50th Street South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

VAC2024-00007: Vacation request in the City to vacate 15 feet of the 25 feet platted setback along the north property line on property zoned SF-5 Single-Family Residential, generally located on the southwest corner of West 61st Street North and North Custer Street.

VAC2024-00008: Vacation request in the city to vacate a drainage easement by separate instrument on property zoned LI Limited Industrial, located on the south side of West Harry Street, and one-half mile west of South Meridian Avenue (1601 S. Sheridan St.).

ZON2024-00003: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located south of West 50th Street South and within a half-mile east of South Seneca Street.

ZON2024-00004: Zone Change request in the City from SF-5 Single Family Residential to TF-3 Two-Family Residential for duplex development, located within one-quarter mile west of South Seneca Street and on the south side of West Haskell Avenue (1509 West Haskell Avenue).

ZON2024-00005: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development, located 375- north of West 29th Street North and on the east side of North Hood Avenue.

ZON2024-00007: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development on property located on the east side of South Meridian Avenue and within one-quarter mile south of West 55th Street South.

ZON2024-00008: Zone Change request in the City from SF-5 Single-Family Residential and TF-3 Two-Family Residential to TF-3 Two-Family Residential and MF-29 Multi-Family Residential on property located on the east side of South Rock Road, one-half mile north of East 39th Street North.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

Email: Planning@wichita.gov

Mailing Address:

Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street – Suite 201

Wichita, KS 67202

Phone: 316.268.4421

Fax: 316.858.7764

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/Planning>.

WITNESS MY HAND on February 22, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0160343

Feb 22 2024

In The STATE OF KANSAS
 In and for the County of Sedgwick

1 insertion(s) published on:

02/22/24

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 02/22/2024 to 02/22/2024.

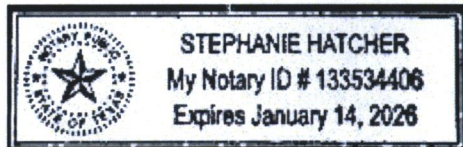
Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 02/28/2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

CONDITIONAL USE PERMIT FOR BEST CARE HOME PLUS

APPLICANTS:
 MARY SAMBOU, BEST CARE - OWNER
 DAVID STAUTH, KANSAS CODE PLANS - ARCHITECT

ADDRESS:
 742 E 74th W 50th St S
 WICHITA, KS 67217

YEAR BUILT:
 2023

LEGAL DESCRIPTION:
 LOT 37 BLOCK 1
 SYCAMORE POND ADD

ZONING:
 THE LOT IS ZONED TF-3 TWO-FAMILY.

SETBACKS:
 FRONT SETBACK: 25'
 REAR SETBACK: 20'
 SIDE SETBACKS: 6'

EASEMENTS:
 THERE IS A 20' DRAINAGE AND UTILITY EASEMENT CENTERED ON THE WEST PROPERTY LINE. THERE IS A 20' DRAINAGE AND UTILITY EASEMENT ON THE NORTH PROPERTY LINE.

PARKING:
 THERE IS SPACE FOR 6 CARS IN THE DRIVEWAY.

MODIFICATIONS BY CONDITIONAL USE:
 THERE WILL BE NO CHANGES TO THE EXTERIOR OF THE HOME AS PART OF THE CONDITIONAL USE.

REVISED SHEET		
NO.	DATE	
1	10/11/23	
REVISIONS		
NO.	DATE	DESCRIPTION
1	10/11/23	REVISED SHEET NUMBER
2	10/11/23	REVISED SHEET NUMBER
3	10/11/23	REVISED SHEET NUMBER
4	10/11/23	REVISED SHEET NUMBER
5	10/11/23	REVISED SHEET NUMBER
6	10/11/23	REVISED SHEET NUMBER
7	10/11/23	REVISED SHEET NUMBER
8	10/11/23	REVISED SHEET NUMBER
9	10/11/23	REVISED SHEET NUMBER
10	10/11/23	REVISED SHEET NUMBER

DATE: 10/11/23
 SHEET: 2383
 DRAWN BY: CHANDLER
 CHECKED BY: CHANDLER
 CUP SITE PLAN

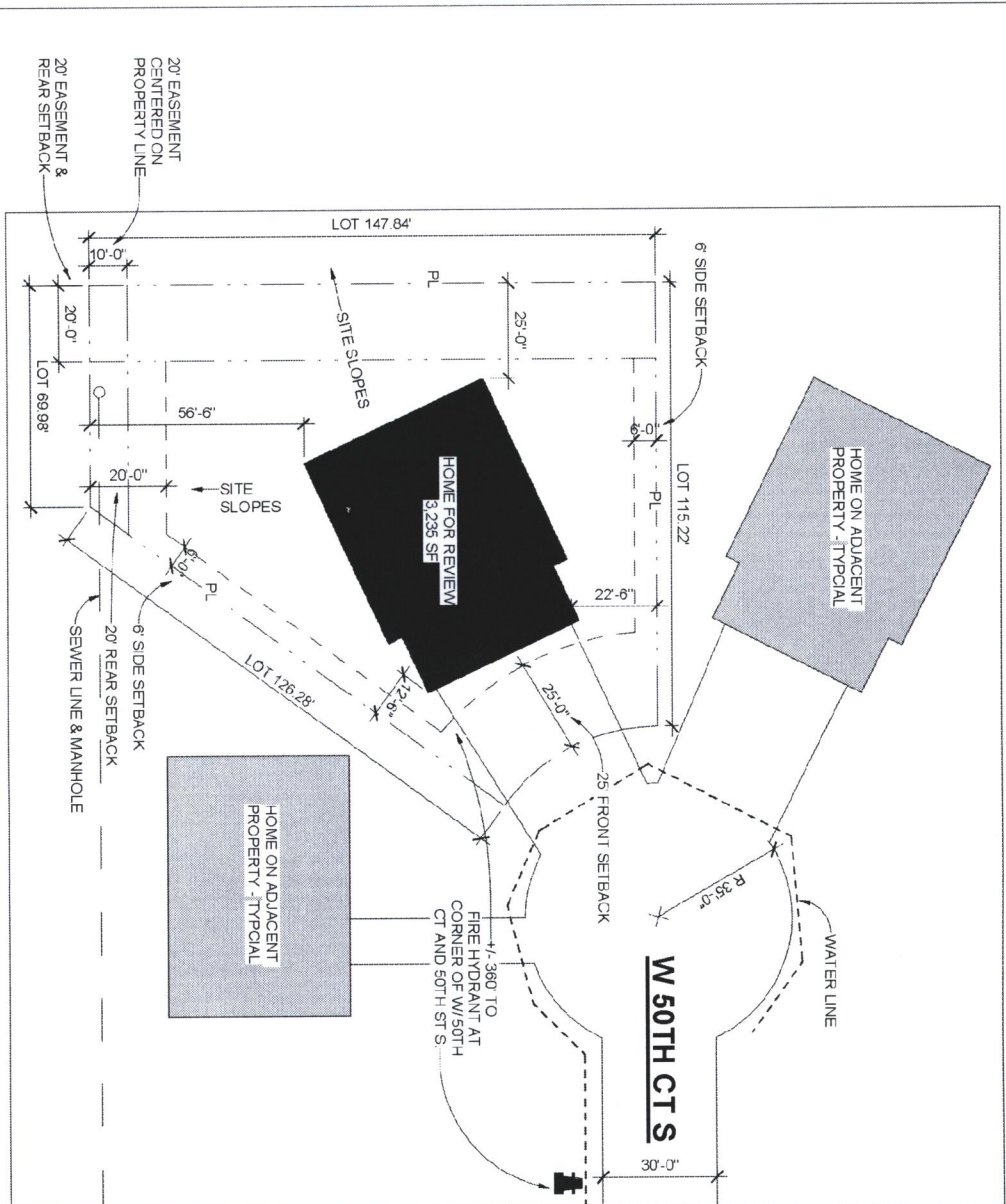
CUP.1



A
 KANSAS CODE PLANS LLC
 2627 N. HARBOR HILL CT
 WICHITA, KS 67220
 316.262.7777
 www.kansascodeplans.com

BEST CARE HOME PLUS

742 E 74th W 50th St S
 WICHITA, KS 67217



SITE PLAN

APPROVED 10/11/23 7/9/24



STAFF REPORT

MAPC: March 14, 2024
DAB IV: March 11, 2024

CASE NUMBER: CON2024-00006 (City)

APPLICANT: Mary Sambou

REQUEST: Conditional Use for Group Residence, Limited

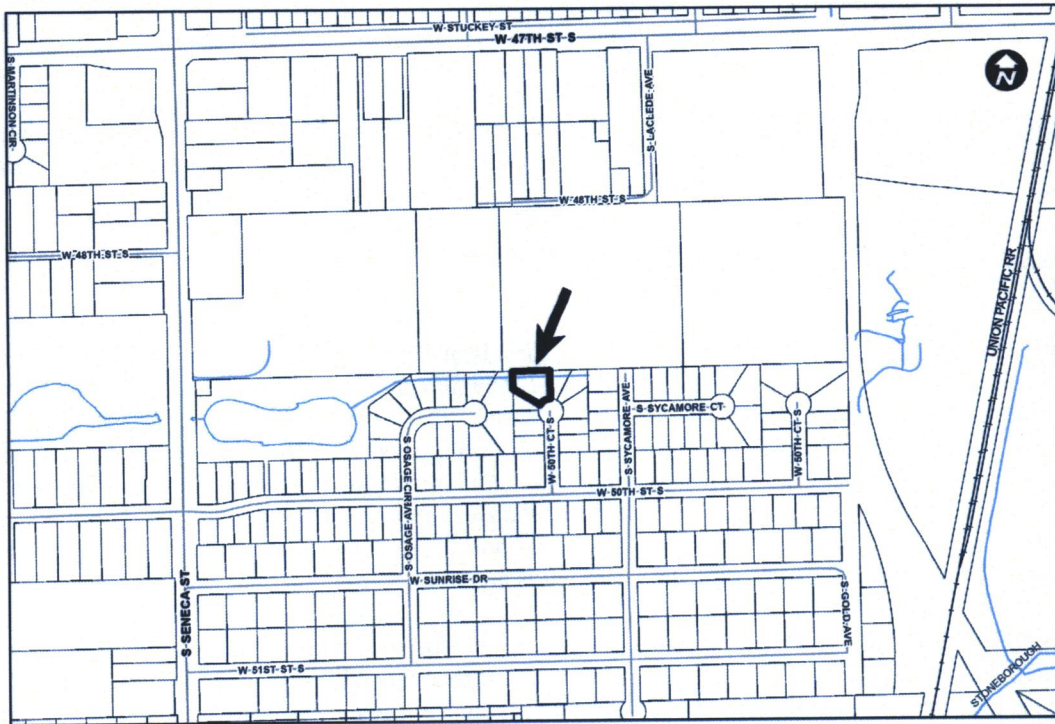
CURRENT ZONING: TF-3 Two-Family Residence

SITE SIZE: 0.37 acres

LOCATION: Generally located north of west 50th Court South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

PROPOSED USE: Group Residence, Limited

RECOMMENDATION: Approval



BACKGROUND: The applicant is requesting a Conditional Use for Group Residence, Limited on property zoned TF-3 Two-Family Residential District (TF-3) located north of west 50th Court South and one-quarter mile east of South Seneca Street (742 West 50th Court South). The applicant proposes to open a Home Plus Group Home on the property. The request for Group Residence, Limited would allow the facility to house up to 15 persons including staff. The applicant stated they intend to house 12 residents. The Kansas Department for Aging and Disability Services (KDADS) generally defines Home Plus as “any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage...who...need personal care or supervised nursing care to help with limitations in activities of daily living” (see attached full definition).

The Unified Zoning Code defines Group Residence as “a residential facility providing cooking, sleeping, and sanitary accommodations for a group of people, not defined as a family, on weekly or longer basis.” It defines Group Residence, Limited as “a Group Residence that is occupied by six to 15 persons, including staff members who reside in the facility.” Group Residence, Limited is permitted within the TF-3 by Conditional Use approval.

The site plan submitted by the applicant shows four parking spaces in the driveway, which is entirely within the front setback. The off-street parking requirement for Group Residence, Limited is one per bedroom. The applicant is requesting two variances concurrently with the Conditional Use application. One variance would be to reduce required parking from twelve to four spaces. The second variance would be to allow parking within the front setback.

Property to the north is zoned SF-5 Single-Family Residential District (SF-5) and is undeveloped. Property to the east is zoned TF-3 and is developed with a duplex. Property to the south is zoned TF-3 and is developed with a duplex. Property to the west is zoned SF-5 and is developed with a single-family dwelling.

CASE HISTORY: On July 6, 2006, the site was platted as part of the Sycamore Pond Addition.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Undeveloped
SOUTH:	TF-3	Duplex
EAST:	TF-3	Duplex
WEST:	SF-5	Single-family dwelling

PUBLIC SERVICES: The site has access to West 50th Court North, a paved local two-lane street with on-street parking, and no sidewalks. Municipal water, sewer and stormwater services currently serve the site. Wichita Transit does not provide regular bus service to the area.

CONFORMANCE TO PLANS/POLICIES: The Conditional Use request is in conformance with the following plans:

Community Investments Plan: The Conditional Use request is in conformance with the *Community Investments Plan*. The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, namely the 2035 Wichita Future Growth Concept Map, identifies the site as “New Residential.” The *Plan* defines “New Residential” as, “*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*” The use of Group Residence, Limited is an acceptable use in the area.

The requested Conditional Use is in conformance with the Land Use Compatibility Locational Guidelines. Under the “Development Pattern” heading, guideline 1.e. states that, “Higher-intensity development should be discouraged from locating areas of existing lower-intensity development, particularly in established low-density residential areas.” The applicant is requesting up to 12 persons in what was designed to be a duplex, essentially allowing six residents per dwelling unit which is not an unreasonable request. The subject site is located in the higher-density TF-3 zone, CON2024-00006

making it a reasonable request.

South Wichita/Haysville Area Plan: The requested rezoning is in compliance with the South Wichita/Haysville Area Plan. The site is located within the boundaries of the *South Wichita/ Haysville Area Plan* (SW/HAP). The SW/HAP future development concept map identifies the subject site as appropriate for residential development. The use of Group Residence, Limited in a neighborhood already zoned TF-3 is considered an appropriate use for the area.

RECOMMENDATION: Based on the information available prior to the public hearing, MAPD staff recommends the application be **APPROVED** subject to the following conditions:

- 1) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
- 2) Residents within the care of this facility are prohibited from having personal vehicles at the facility.
- 3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 4) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

The staff's recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood**: The character of the area is residential in nature. Property to the north is zoned SF-5 and is undeveloped. Property to the east is zoned TF-3 and is developed with a duplex. Property to the south is zoned TF-3 and is developed with a duplex. Property to the west is zoned SF-5 and is developed with a single-family dwelling.
2. **The suitability of the subject property for the uses to which it has been restricted**: The subject property is zoned TF-3 and is suitable to be developed with a single-family residence or a duplex.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property**: Group Residence, Limited is permitted as a Conditional Use within the TF-3 district. If the Conditional Use is approved, it is anticipated that the site will see higher volumes of automobile and pedestrian traffic. The Conditions of Approval are designed to mitigate any detrimental effects.
4. **Length of time the property has been vacant as currently zoned**: The subject property is not vacant. The site has been developed as a duplex and has been modified to allow for living quarters where the garages were.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan**: The requested Conditional Use is in partial conformance with the *Community Investments Plan* and the *South Wichita/Haysville Area Plan* as discussed in the staff report.
6. **Relative gain to the public health, safety, and welfare compared to the loss in value or the hardship imposed upon the applicant**: Approval of this request could provide the opportunity for the applicant to provide Home Plus care for additional residents, which is a gain to the public welfare. However, any gain must be considered in light of the possible negative impacts to the public welfare, including the effects on neighboring properties. Denial could be regarded as a loss of economic opportunity for the applicant.
7. **Impact of the proposed development on community facilities**: Staff does not anticipate significant, negative impacts to community facilities.
8. **Opposition or support of neighborhood residents**: At the time the staff report was prepared, staff has received no public comment regarding the proposal.

Attachments:

1. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos

CONDITIONAL USE PERMIT FOR BEST CARE HOME PLUS

APPLICANTS: BEST CARE - OWNER
 MARY SAMBOU, BEST CARE - ARCHITECT
 DAVID STAULT, KANSAS CODE PLANS - ARCHITECT

ADDRESS: 742 S 744 W 50TH ST S
 WICHITA, KS 67217

YEAR BUILT: 2023

LEGAL DESCRIPTION: LOT 37 BLOCK 1 SYCAMORE POND ADD

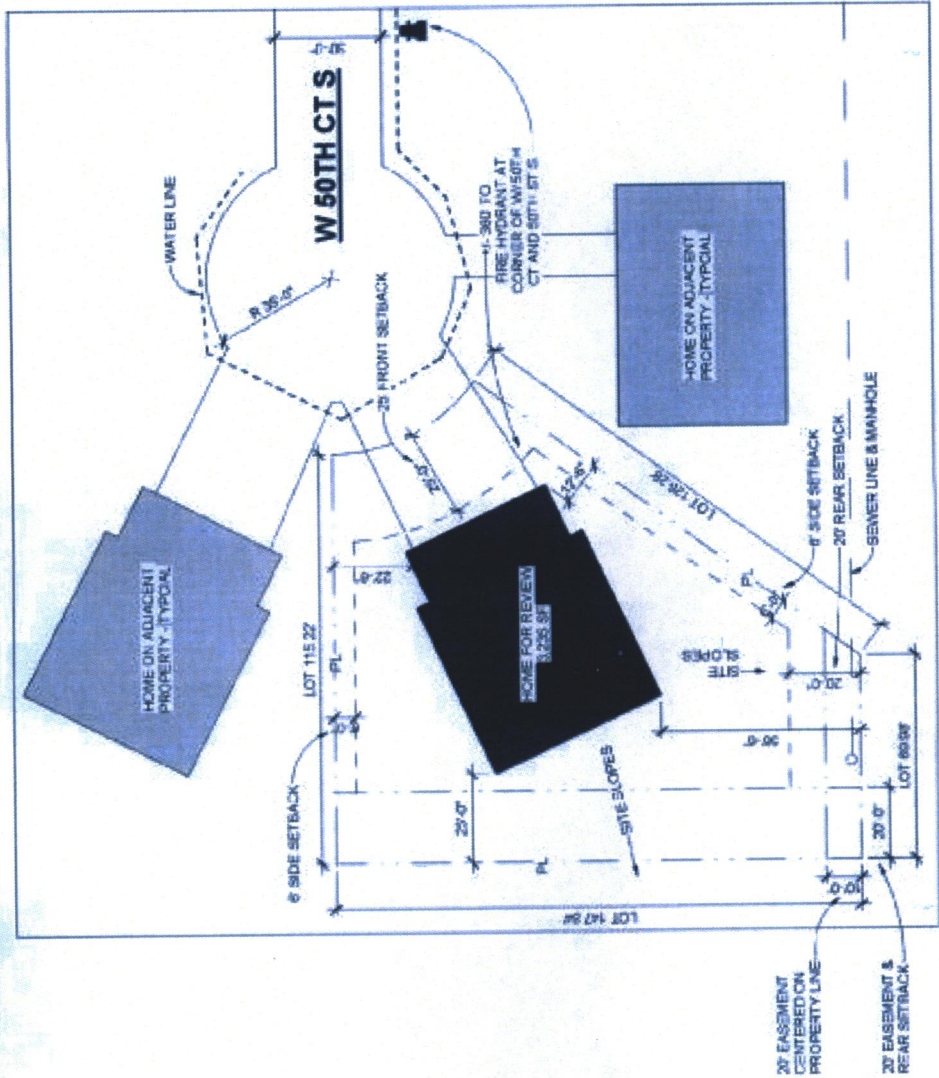
ZONING: THE LOT IS ZONED TF-3 TWO FAMILY

SETBACKS: FRONT SETBACK: 25' REAR SETBACK: 20' SIDE SETBACKS: 0'

EASEMENTS: THERE IS A 20' DRAINAGE AND UTILITY EASEMENT CENTERED ON THE WEST PROPERTY LINE. THERE IS A 20' DRAINAGE AND UTILITY EASEMENT ON THE NORTH PROPERTY LINE.

PARKING: THERE IS SPACE FOR 6 CARS IN THE DRIVEWAY.

MODIFICATIONS BY CONDITIONAL USE: THERE WILL BE NO CHANGES TO THE EXTERIOR OF THE HOME AS PART OF THE CONDITIONAL USE.



1 SITE PLAN - CUP
 1" = 30'-0"



BEST CARE HOME PLUS

PROJECT NO.	DATE	SCALE
DESIGNER	DATE	SCALE

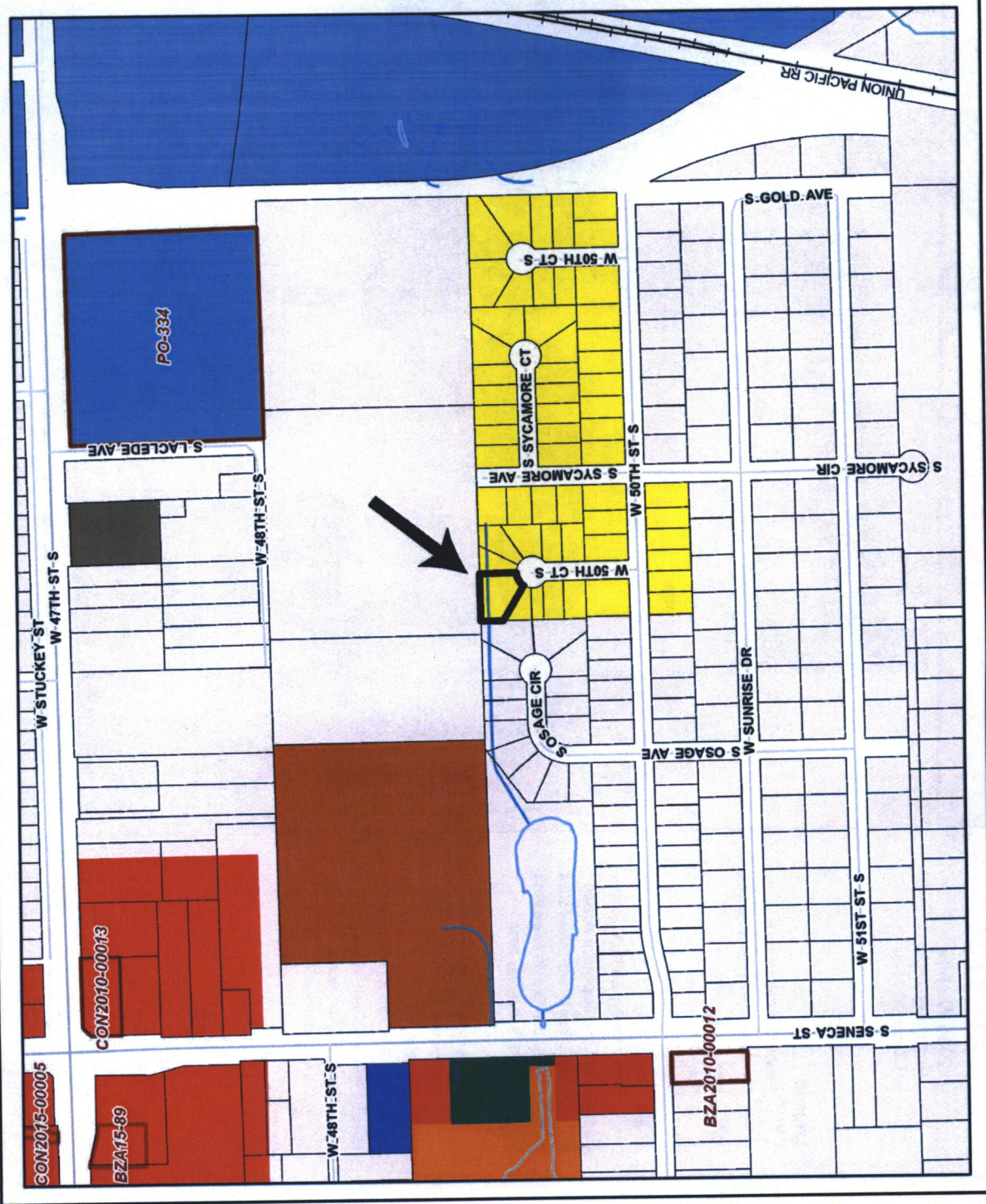
CUP.1



ZONING



RR	SF-20	SF-10	SF-5	TF-3	MF-18	MF-29	B	MH	NO	GO	NR	LC	GC	CBD	OW	IP	LI	IP-A	GI	AFB	U	PUD	AIRPORT	OLD TOWN	HISTORIC	DELANO	YES
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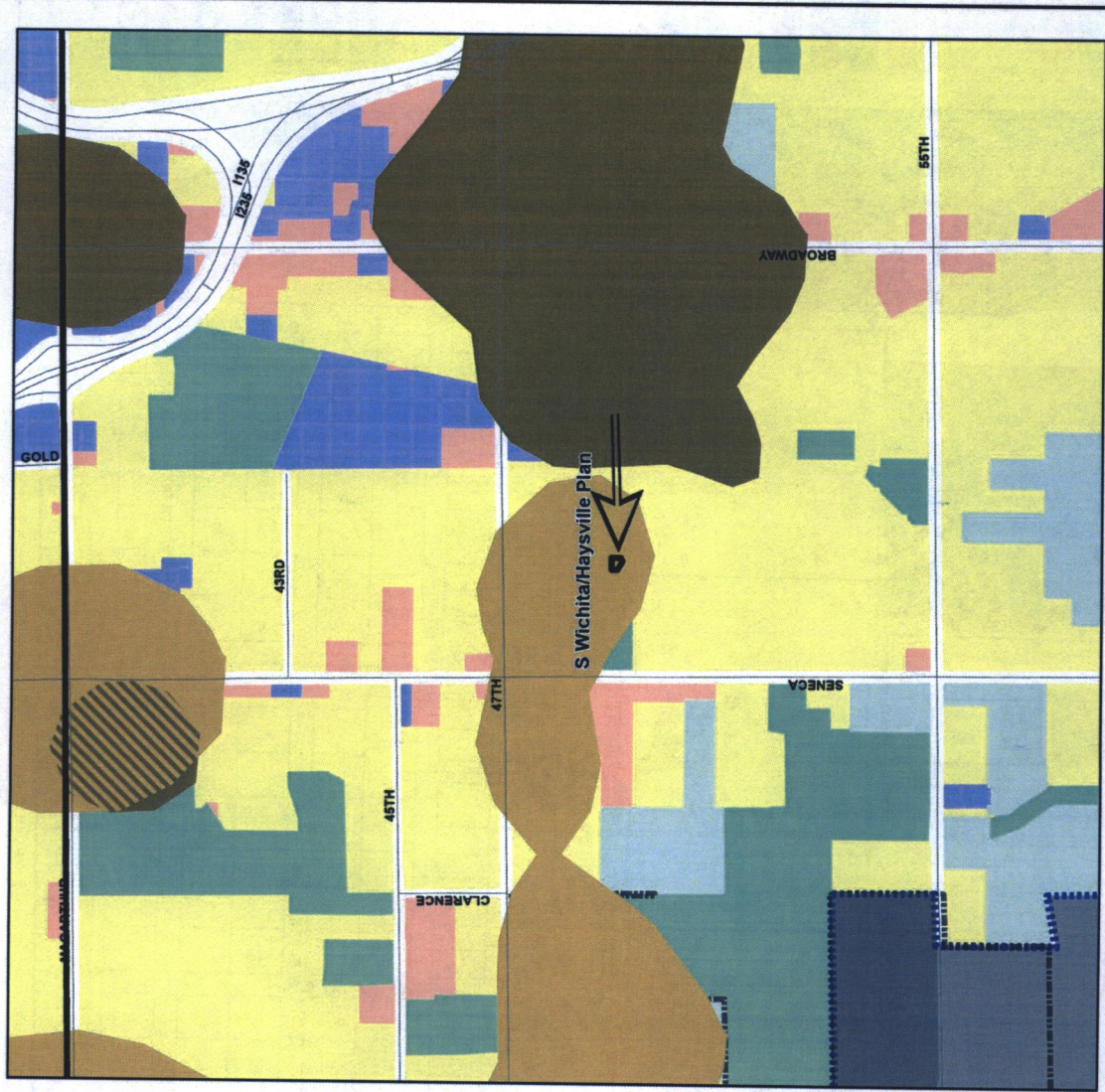


**2035 Wichita
Future Growth
Concept Map**

- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Neighborhood/Area Plans



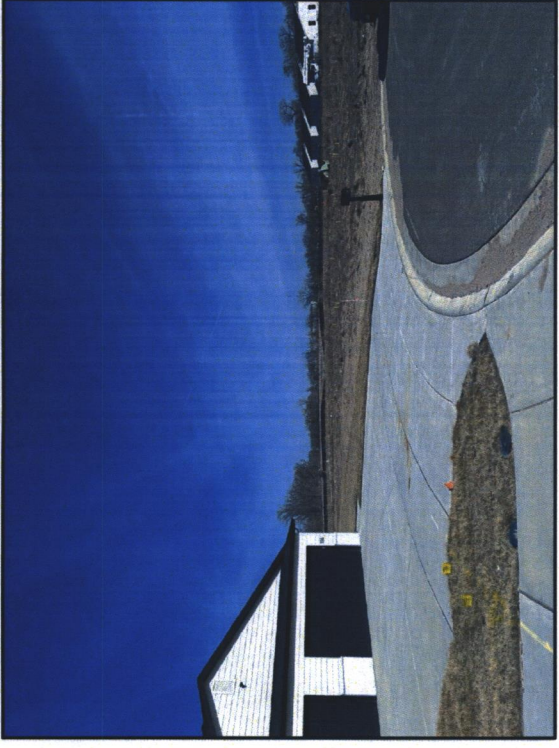
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Looking north into site



Looking east away from site



Looking south away from site

